

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DONNELL ROBINSON,)	
)	Civil Action
Petitioner)	07-cv-4676
)	
vs.)	
)	
FRANKLIN J. TENNIS,)	
THE DISTRICT ATTORNEY OF THE)	
COUNTY OF PHILADELPHIA and)	
THE ATTORNEY GENERAL OF THE)	
COMMONWEALTH OF PENNSYLVANIA,)	
)	
Respondents)	

O R D E R

NOW, this 29th day of November, 2010, upon
consideration of the following documents:

- (1) Petition for Writ of Habeas Corpus By a Person in State Custody filed by petitioner Donnell Robinson pro se on December 13, 2007 (Document 4);
- (2) Brief of Appellant filed by petitioner on December 13, 2007 (Document 3);
- (3) Response to Petition for Writ of Habeas Corpus, which response was filed by respondents on May 9, 2008 (Document 11);
- (4) Appellant's Reply to The Brief of Appellee, which reply was filed by petitioner on June 16, 2008 (Document 14);
- (5) Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport filed July 1, 2008 (Document 15);
- (6) Motion for reconsideration [of] the court opinion and decision (also subtitled ARGUMENT AND OBJECTIONS)¹, which motion was filed by petitioner on July 16, 2008 (Document 16); and
- (7) Response to Petitioner's Objections, which response was filed by respondents on February 2, 2009 (Document 18);

¹ This document contains petitioner's objections to the Report and Recommendation of United States Magistrate Judge Arnold C. Rapoport.

it appearing after review of this matter that Magistrate Judge Rapoport's Report and Recommendation correctly determined the legal and factual issues presented in the petition for habeas corpus relief, and for the reasons contained in the accompanying Memorandum,

IT IS ORDERED that the objections of petitioner to the Report and Recommendation of Magistrate Judge Rapoport are overruled.

IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Rapoport is approved and adopted.

IT IS FURTHER ORDERED that the petition for writ of habeas corpus is dismissed without a hearing.

IT IS FURTHER ORDERED that because petitioner has not met statutory requirements to have his case heard, and no reasonable jurist could find this procedural ruling debatable, and because petitioner fails to demonstrate denial of a constitutional right, a certificate of appealability is denied.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this matter closed for statistical purposes.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge